

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office... DEC 20 1979
Returned to applicant for correction... MAY 19 1980
Corrected application filed... JUN 19 1980
Map filed... JUN 19 1980 under 40075

The applicant... Zimmerman Ranching Corporation

Street and No. or P.O. Box No. ... Round Mountain ... Nevada 89045 ... State and Zip Code No.

hereby make an application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) 1972 Nevada

1. The source of the proposed appropriation is... Liberty Pit (Roger Lake) ... Name of stream, lake or other source.

2. The amount of water applied for is... 0.05 cfs ... second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet... acre-feet

3. The water to be used for... stockwatering ... Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for: (a) Irrigation (state number of acres to be irrigated) ...

(b) Stockwater (state number and kinds of animals to be watered) ... 200 head of cattle

(c) Other use (describe fully under "No. 12. Remarks") ...

(d) Power: (1) Horsepower developed ... (2) Point of return of water to stream ...

5. The water is to be diverted from its source at the following point: in the SW 1/4 SW 1/4 of Section 33, T.5N., R.41E., MDB&M, or at a point from which the Southwest corner of Section 4, T.4N., R.41E., MDB&M bears S89°38'W 5,620'. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. Place of use... SW 1/4 SW 1/4 of Section 33, T.5N., R.41E., MDB&M. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about... January 1st ... and end about... December 31st, of each year. Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Roadside pond approximately 50' wide by 300' long by 8' deep. State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....excess of \$100.00.....
- 10. Estimated time required to construct works.....completed.....
- 11. Estimated time required to complete the application to beneficial use.....completed.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....Water needed for stockwatering on range land controlled by
applicant.....Excess will provide water for wildlife, etc.....

Applicant Zimmerman Ranching Corporation
 Pro. 4-15-80 by B.L.M.
 Protest withdrawn 10-19-82

By s/ J.R. Caldwell
 J.R. Caldwell, R.L.S. (agent)
 P.O. Box 432
 Winnemucca, Nevada 89445

Compared lp/vjw ja/bl

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0062 cubic feet per second, or sufficient water to water 200 head of cattle.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before January 19, 1984

Proof of completion of work shall be filed before February 19, 1984

Application of water to beneficial use shall be made on or before January 19, 1986

Proof of the application of water to beneficial use shall be filed on or before February 19, 1986

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
 Completion of work filed MAR 12 1984
 Proof of beneficial use filed MAR 20 1986
 Cultural map filed
 Certificate No. 11409 Issued MAY 30 1986

IN TESTIMONY WHEREOF, I PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 19th day of JANUARY

A.D. 19 83

Peter G. Morros
 State Engineer